UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF NEW YORK

JUDGMENT IN A CIVIL CASE

Plaintiff(s)

VS.

CASE NUMBER: 8:21-cv-65 (TJM/DEP)

Kilolo Kijakazi

Acting Commissioner of Social Security

Defendant(s)

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED: The Report-Recommendation of Magistrate Judge Peebles, dkt. # 21, is hereby ACCEPTED and ADOPTED. The Plaintiffs motion for judgment on the pleadings, dkt. 13, is hereby GRANTED. Defendants motion for judgment on the pleadings, dkt. # 14 hereby DENIED. The Commissioners decision is hereby VACATED, and this matter is remanded to the Commissioner for further proceedings consistent with the findings of Judge Peebles Report-Recommendation. The Court declines to recommend reassignment to a different ALJ.

All of the above pursuant to the order of the Honorable Thomas J. McAvoy, dated the 27th day of September, 2022.

DATED: September 28, 2022

Clerk of Court

s/Kathy Rogers

Deputy Clerk